

Crl. Misc. No. M-33920 of 2016 (O&M)

(1)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

Crl. Misc. No. M-33920 of 2016 (O&M)

DATE OF DECISION:18.01.2019

Ravi Kumar and another

.....Petitioners

Versus

State of Punjab

.....Respondent

**BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

Present:- Mr. Veneet Sharma, Advocate  
for the petitioners.

Ms. Rashmi Attri, AAG, Punjab.

Mr. A.P.S. Sandhu, Advocate  
for the complainant.

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**DAYA CHAUDHARY, J.**

**Crl. Misc. No. 1380 of 2019**

This application has been filed for placing on record counter affidavit to the affidavit dated 11.12.2017 filed on behalf of State of Punjab.

Application is allowed and counter affidavit is taken on record.

**Crl. Misc. No. M-33920 of 2016**

Learned counsel for the petitioners contends that as petitioner No.2 has died during pendency of this petition, petition qua to her has become infructuous and may be dismissed as such.

Ordered accordingly.

Learned counsel for the petitioner contends that in compliance

of order dated 23.9.2016, the petitioner has joined the investigation and the same has been affirmed by learned State counsel.

However, learned counsel for respondent-State opposes grant of bail to the petitioner on the ground that earlier also there was an agreement to sell relating to same property and recovery of the amount is yet to be effected from the petitioner.

Learned counsel for the petitioner contends that the complainant in that case as well as complainant in the present case are business partners and financiers and many complaints have been filed against each other. The case is based on documentary evidence and civil suit filed by the complainant is still pending before the lower Court.

Keeping in view the submissions made by learned counsel for the petitioner and also the facts that the case is based on documentary evidence; allegations are matter of evidence, which shall be tested by the trial Court and the petitioner has already joined the investigation, interim order dated 23.9.2016 passed by this Court in favour of the petitioner is made absolute.

Petition stands disposed of accordingly.

However, the petitioner is directed to join investigation in case he is required in any inquiry/investigation in future also.

January 18, 2019  
pooja

**(DAYA CHAUDHARY)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes  
No